

AMENDMENT TO H.R. 1404
OFFERED BY Mr. Goodlatte

Add at the end the following new section:

1 **SEC. 6. DEPARTMENT OF AGRICULTURE PARTNERSHIPS TO**
2 **REDUCE HAZARDOUS FUELS ON NATIONAL**
3 **FOREST SYSTEM LANDS TO PREVENT OR RE-**
4 **DUCE THE SEVERITY OF WILDFIRES.**

5 (a) DEFINITIONS.—In this section:

6 (1) CONTRACT.—The term “contract” means
7 any contracting authority available to the Secretary
8 of Agriculture, including a sole source contract or
9 other agreement for the mutual benefit of the Sec-
10 retary and a State Forester.

11 (2) GOOD NEIGHBOR PROJECT.—The term
12 “good neighbor project” means any project on Na-
13 tional Forest System land that—

14 (A) meets the requirements for hazardous
15 fuels reduction projects under subsections (a),
16 (d), (e), and (f) of section 102 of the Healthy
17 Forests Restoration Act (16 U.S.C. 6512) and
18 would reduce risk of wildland fire or risk of in-
19 sect or disease infestation to adjacent lands; or

1 (B) would improve watersheds or fish and
2 wildlife habitat on National Forest System land
3 and adjacent lands.

4 (3) STATE FORESTER.—The term “State For-
5 ester” has the meaning given that term in section
6 4(k) of the Cooperative Forestry Assistance Act of
7 1978 (16 U.S.C. 2103).

8 (b) PARTNERSHIP AUTHORITY.—The Secretary of
9 Agriculture (in this section referred to as the “Secretary”)
10 may enter into contracts or cooperative agreements with
11 a State Forester to prepare and implement good neighbor
12 projects on National Forest System land to complement
13 any similar project being performed on bordering or adja-
14 cent non-Federal land. The decision to proceed with a
15 good neighbor project is in the Secretary’s sole discretion.

16 (c) STATE FORESTER OR EQUIVALENT OFFICIAL AS
17 AGENT.—A cooperative agreement or contract under sub-
18 section (b) may authorize the State Forester to serve as
19 the agent for the Secretary in providing all services nec-
20 essary to facilitate the performance of good neighbor
21 projects, except that any decision with respect to a good
22 neighbor project required to be made under the National
23 Environmental Policy Act of 1969 (42 U.S.C. 4321 et
24 seq.) may not be delegated to a State Forester or any offi-
25 cer or employee of the State Forester.

1 (d) PROJECT REQUIREMENTS.—In implementing any
2 good neighbor project, the Secretary shall ensure that—

3 (1) the project is consistent with the applicable
4 land and resource management plan developed under
5 section 6 of the Forest and Rangeland Renewable
6 Resources Planning Act of 1974 (16 U.S.C. 1604);
7 and

8 (2) the project improves the cost efficiency of
9 managing the National Forest System land covered
10 by the project, as determined by the Secretary.

11 (e) PRIORITY FOR COLLABORATIVE PROJECTS.—The
12 Secretary shall give priority to good neighbor projects that
13 are—

14 (1) developed in collaboration with nongovern-
15 mental entities;

16 (2) consistent with a community wildfire protec-
17 tion plan (as defined in section 101 of the Healthy
18 Forests Restoration Act of 2003 (16 U.S.C. 6502));
19 or

20 (3) prepared in a manner consistent with the
21 Implementation Plan for the Comprehensive Strat-
22 egy for a Collaborative Approach for Reducing
23 Wildland Fire Risks to Communities and the Envi-
24 ronment, dated May 2002, developed pursuant to
25 the conference report to accompany the Department

1 of the Interior and Related Agencies Appropriations
2 Act, 2001 (House Report No. 106-64), and subse-
3 quent revisions of the implementation plan.

4 (f) RELATION TO OTHER LAWS.—Subsections (d)
5 and (g) of section 14 of the National Forest Management
6 Act of 1976 (16 U.S.C. 472a) shall not apply to a contract
7 or other agreement under this subsection.

8 (g) SUBCONTRACTING BY A STATE FORESTER.—A
9 State Forester may subcontract to the extent allowed by
10 State and local law to prepare or implement a contract
11 or other agreement under this section.

